

Public Law 114–184
114th Congress

An Act

June 30, 2016
[H.R. 3209]

To amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations.

Recovering
Missing Children
Act.
26 USC 1 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Recovering Missing Children Act”.

SEC. 2. DISCLOSURE OF CERTAIN RETURN INFORMATION RELATING TO MISSING OR EXPLOITED CHILDREN INVESTIGATIONS.

26 USC 6103.

(a) IN GENERAL.—Section 6103(i)(1) of the Internal Revenue Code of 1986 is amended—

(1) by inserting “or pertaining to the case of a missing or exploited child,” after “may be a party,” in subparagraph (A)(i);

(2) by inserting “or to such a case of a missing or exploited child,” after “may be a party,” in subparagraph (A)(iii); and

(3) by inserting “(or any criminal investigation or proceeding, in the case of a matter relating to a missing or exploited child)” after “concerning such act” in subparagraph (B)(iii).

(b) DISCLOSURE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES.—

(1) IN GENERAL.—Section 6103(i)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(C) DISCLOSURE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES IN THE CASE OF MATTERS PERTAINING TO A MISSING OR EXPLOITED CHILD.—

“(i) IN GENERAL.—In the case of an investigation pertaining to a missing or exploited child, the head of any Federal agency, or his designee, may disclose any return or return information obtained under subparagraph (A) to officers and employees of any State or local law enforcement agency, but only if—

“(I) such State or local law enforcement agency is part of a team with the Federal agency in such investigation, and

“(II) such information is disclosed only to such officers and employees who are personally and directly engaged in such investigation.

“(ii) LIMITATION ON USE OF INFORMATION.—Information disclosed under this subparagraph shall

be solely for the use of such officers and employees in locating the missing child, in a grand jury proceeding, or in any preparation for, or investigation which may result in, a judicial or administrative proceeding.

“(iii) MISSING CHILD.—For purposes of this subparagraph, the term ‘missing child’ shall have the meaning given such term by section 403 of the Missing Children’s Assistance Act (42 U.S.C. 5772).

“(iv) EXPLOITED CHILD.—For purposes of this subparagraph, the term ‘exploited child’ means a minor with respect to whom there is reason to believe that a specified offense against a minor (as defined by section 111(7) of the Sex Offender Registration and Notification Act (42 U.S.C. 16911(7))) has or is occurring.”.

Definition.

(2) CONFORMING AMENDMENTS.—

(A) Section 6103(a)(2) of such Code is amended by striking “subsection (i)(7)(A)” and inserting “subsection (i)(1)(C) or (7)(A)”. 26 USC 6103.

(B) Section 6103(p)(4) of such Code is amended by striking “(i)(3)(B)(i)” in the matter preceding subparagraph (A) and inserting “(i)(1)(C), (3)(B)(i),”.

(C) Section 7213(a)(2) of such Code is amended by striking “(i)(3)(B)(i)” and inserting “(i)(1)(C), (3)(B)(i),”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after the date of the enactment of this Act. 26 USC 6103 note.

Approved June 30, 2016.

LEGISLATIVE HISTORY—H.R. 3209:

HOUSE REPORTS: No. 114–542 (Comm. on Ways and Means).

CONGRESSIONAL RECORD, Vol. 162 (2016):

May 10, considered and passed House.

June 16, considered and passed Senate.